

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MATTHEW JAMES LINDSAY ESQ., et
al.,

Plaintiffs,

v.

SHAWN PAUL ALLEN SOCKEY, et al.,

Defendants.

CASE NO. C15-47 MJP

ORDER ADOPTING REPORT AND
RECOMMENDATION, DENYING
CORPORATE PLAINTIFFS' IN
FORMA PAUPERIS
APPLICATIONS, AND GRANTING
PERSONAL IN FORMA PAUPERIS
APPLICATION

THIS MATTER comes before the Court on Plaintiff Matthew James Lindsay's
Objections (Dkt. No. 7) to the Report and Recommendation of the Honorable Brian A. Tsuchida,
United States Magistrate Judge. (Dkt. No. 6.) Having considered Plaintiff's Objections, the
Report and Recommendation, and all related papers, the Court ADOPTS the Report and
Recommendation, DENIES the corporate Plaintiffs' applications to proceed in forma pauperis,
and ORDERS the corporate Plaintiffs to pay the filing fee, no later than two weeks from the date
of this order, or be dismissed from this action. Plaintiff Lindsay's personal application to
proceed with the case in forma pauperis is GRANTED.

ORDER ADOPTING REPORT AND
RECOMMENDATION, DENYING CORPORATE
PLAINTIFFS' IN FORMA PAUPERIS
APPLICATIONS, AND GRANTING PERSONAL
IN FORMA PAUPERIS APPLICATION- 1

Under Fed. R. Civ. P. 72, the Court must resolve de novo any part of the Magistrate Judge's Report and Recommendation that has been properly objected to and may accept, reject, or modify the recommended disposition. Fed. R. Civ. P. 72(b)(3); see also 28 U.S.C. § 636(b)(1).

Judge Tsuchida recommended that the in forma pauperis applications of Plaintiffs Shoreway Contracting Company, Inc., and Shoreway Development Company be denied because the Supreme Court held in Rowland v. California Men's Colony, 506 U.S. 194 (1993), that 28 U.S.C. § 1915 applied only to natural persons. (Dkt. No. 6 at 1.) Though Plaintiff Lindsay disagrees with the recommendation, it is uncontested that Shoreway Contracting Company, Inc., and Shoreway Development Company are not natural persons. (Dkt. No. 7 at 2-3.) Because the corporate Plaintiffs are ineligible for in forma pauperis status, Rowland, 506 U.S. at 201, their applications must be DENIED.

Based on the financial information provided by Plaintiff Matthew James Lindsay, (Dkt. No. 7 at 4), his personal application to proceed with the case in forma pauperis is GRANTED.

The Court hereby ADOPTS the Report and Recommendation of the Honorable Brian A. Tsuchida. (Dkt. No. 6.) Corporate Plaintiffs' in forma pauperis applications are DENIED, and corporate Plaintiffs are ORDERED to pay the filing fee within two weeks of the date of this order or be dismissed from this action. Plaintiff Lindsay's personal application is GRANTED.

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ORDER ADOPTING REPORT AND
RECOMMENDATION, DENYING CORPORATE
PLAINTIFFS' IN FORMA PAUPERIS
APPLICATIONS, AND GRANTING PERSONAL
IN FORMA PAUPERIS APPLICATION- 2

1 The clerk is ordered to provide copies of this order to all counsel.

2 Dated this 19th day of February, 2015.

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5 Marsha J. Pechman
6 Chief United States District Judge
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